

# PATENT COOPERATION TREATY

TRANSLATION

From the  
INTERNATIONAL SEARCHING AUTHORITY

## PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing  
(day/month/year)

Applicant's or agent's file reference

**FAP-4101**

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.

**PCT/JP2004/018852**

International filing date (day/month/year)

**10.12.2004**

Priority date (day/month/year)

**11.12.2003**

International Patent Classification (IPC) or both national classification and IPC

Applicant

**FUJIMORI KOGYO CO., LTD.**

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/018852

Box No. I      Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
☐ This opinion has been established on the basis of a translation from the original language into the following language  
\_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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PCT/JP2004/018852

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)		Claims <u>1-10</u>	YES
		Claims _____	NO
Inventive step (IS)		Claims <u>1-10</u>	YES
		Claims _____	NO
Industrial applicability (IA)		Claims <u>1-10</u>	YES
		Claims _____	NO
2. Citations and explanations:			
<p>Document 1: JP 2003-052791 A (Q.P. Corp. et al.), 25 February 2003, full text, all drawings &amp; WO 2002/0100738 A1 &amp; EP 1394071 A1 &amp; US 2004/137177 A1</p> <p>Document 2: WO 2000/0020473 A1 (Idemitsu Petrochemical Co. Ltd.), 13 April 2000, full text, all drawings &amp; US 6287705 B1 &amp; JP 2000-219787 A</p> <p>Document 1 cited in the ISR, and cited by the applicant in the specification (page 2, lines 27-28), and document 2 cited in the ISR do not disclose using a component having elution according to the TREF method of 15-50 wt. % at 0°C. (In particular, because it is not measured by this type of measurement method in document 1, document 1 does not disclose or suggest that component B is in this range.)</p> <p>From the disclosures in documents 1 and 2, it is found that it cannot be denied that the inventions of claims 1-10 are novel and involve an inventive step.</p>			